

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA §
§
v. § CRIMINAL CASE NO. H-07-351
§
§
ERIC AMOAKO §

MEMORANDUM AND ORDER

Defendant Eric Amoako has filed a Motion for Judgment of Acquittal (“Motion”) in which he asserts that “no reasonable jury would convict on the basis of the outrageous and incredible testimony of Sandra Johnson and/or Theresa Williams.”

See Motion [Doc. # 95]. “The duty of the district court in ruling on a post-verdict motion for acquittal is to determine, viewing the evidence in the light most favorable to the government, whether the evidence could be accepted by a jury as adequate and sufficient to support the conclusion of a defendant’s guilt beyond a reasonable doubt.”

United States v. Sanchez, 961 F.2d 1169, 1173 (5th Cir. 1992). The credibility of witnesses is exclusively within the province of the jury. *United States v. Parker*, 505 F.3d 323, 331 (5th Cir. 2007). The documentary evidence coupled with the testimony of Sandra Johnson and Theresa Williams, if believed by the jury, is sufficient to support the verdict of guilty as to Defendant Amoako on each count. Accordingly, it is hereby

ORDERED that Defendant Amoako's Motion for Judgment of Acquittal [Doc. # 95] is **DENIED**.

SIGNED at Houston, Texas, this **8th** day of **February, 2008**.



Nancy F. Atlas
Nancy F. Atlas
United States District Judge